

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CODY MICHAEL ANDERSON,

Defendant.

CR-18-79-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on January 25, 2022. (Doc. 68.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on January 25, 2022. (Doc. 66.) The United States accused Anderson of violating his conditions of supervised release 1) by using Kkratom; 2) by using Gabapentin; 3) by knowingly interacting with a convicted felon without obtaining the prior approval of his probation officer; 4) by failing to report for mental health treatment; and 5) by committing another crime. (Doc. 64.)

At the revocation hearing, Anderson admitted that he had violated the conditions of his supervised 1) by using Kkratom; 2) by using Gabapentin; 3) by knowingly interacting with a convicted felon without obtaining the prior approval of his probation officer; and 4) by failing to report for mental health treatment. The Court dismissed alleged violation 5 on the government's motion. (Doc. 66.) Judge Johnston found that the violations Anderson admitted proved to be serious and warranted revocation, and recommended that Anderson receive a custodial sentence of 12 months, with no supervised release to follow. (Doc. 68.) Anderson was advised of his right to appeal and his right to allocute before the undersigned. He waived those rights. (Doc. 66.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 68) are **ADOPTED IN FULL. IT IS FURTHER**

ORDERED that Defendant Cody Michael Anderson be sentenced to the Bureau of Prisons for 12 months, with no supervised release to follow.

DATED this 1st day of February, 2022.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United State District Court

